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**U.S. District Court**  
**Northern District of Georgia (Atlanta)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-04992-MHC**

Burgest v. Freedom of Information Act  
Assigned to: Judge Mark H. Cohen  
Cause: 05:0552 Freedom of Information Act

Date Filed: 10/29/2018  
Date Terminated: 12/20/2018  
Jury Demand: None  
Nature of Suit: 540 Mandamus & Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Earl Hughes Burgest**  
*also known as*  
Earl Burgess  
*also known as*  
James Brown

represented by **Earl Hughes Burgest**  
53598-004  
ATLANTA U.S. PENITENTIARY  
P.O. BOX 150160  
ATLANTA, GA 30315  
PRO SE

V.

**Defendant**

**Freedom of Information Act**  
*Department of Justice*

Date Filed	#	Docket Text
10/29/2018	<u>1</u>	APPLICATION for Leave to Proceed in forma pauperis by Earl Hughes Burgest. (Attachments: # <u>1</u> Complaint, # <u>2</u> Civil Cover Sheet) (sap) (Entered: 11/01/2018)
11/01/2018		Submission of <u>1</u> APPLICATION for Leave to Proceed in forma pauperis to Magistrate Judge John K. Larkins. (sap) (Entered: 11/01/2018)
11/13/2018	<u>2</u>	COMPLAINT filed by Earl Hughes Burgest. (Attachments: # <u>1</u> Civil Cover Sheet)(bnw) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 11/14/2018)
11/13/2018	<u>3</u>	FINAL REPORT AND RECOMMENDATION re <u>2</u> Complaint, filed by Earl Hughes Burgest. It is recommended that this action be DISMISSED WITHOUT PREJUDICE under 28 U.S.C. § 1915(g). Signed by Magistrate Judge John K. Larkins, III on 11/13/18. (bnw) (Entered: 11/14/2018)
11/13/2018		ORDER granting <u>1</u> Application for Leave to Proceed in forma pauperis. Signed by Magistrate Judge John K. Larkins, III on 11/14/18. (bnw) Modified on 11/21/2018 to edit file date(bnw). (Entered: 11/14/2018)
11/13/2018	<u>4</u>	ORDER for Service of <u>3</u> Final Report and Recommendation by Magistrate Judge John K. Larkins, III. Each party may file written objections to the Report & Recommendation within 14 days of service. If no objections are filed, the Report & Recommendation may be adopted as the opinion and order of the District Court. Signed by Magistrate Judge John K. Larkins, III on 11/13/18. (bnw) (Entered: 11/14/2018)
11/14/2018		Clerk's Certificate of Mailing as to Earl Hughes Burgest re <u>3</u> FINAL REPORT AND RECOMMENDATION re <u>2</u> Complaint, filed by Earl Hughes Burgest, <u>4</u> Order for Service of Report and Recommendation,. (bnw) (Entered: 11/14/2018)
12/03/2018	<u>5</u>	OBJECTIONS to <u>3</u> Report and Recommendation filed by Earl Hughes Burgest. (bnw) (Entered: 12/07/2018)

12/10/2018		Submission of <u>3</u> FINAL REPORT AND RECOMMENDATION re <u>2</u> Complaint, filed by Earl Hughes Burgest, to District Judge Mark H. Cohen. (bnw) (Entered: 12/10/2018)
12/19/2018	<u>8</u>	MOTION to Supplement <u>5</u> Objections to Report and Recommendation by Earl Hughes Burgest. (bnw) (Entered: 12/20/2018)
12/20/2018	<u>6</u>	ORDER: it is hereby ORDERED that Plaintiff's <u>5</u> objections to the R&R are OVERRULED. After conducting a de novo review of those portions of the R&R to which Plaintiff objects and reviewing the remainder of the R&R for plain error, the Court ADOPTS the <u>3</u> R&R as the Opinion and Order of the Court. It is hereby ORDERED that Plaintiffs Complaint is DISMISSED WITHOUT PREJUDICE. The Clerk is DIRECTED to close this file. Signed by Judge Mark H. Cohen on 12/20/18. (bnw) (Entered: 12/20/2018)
12/20/2018	<u>7</u>	CLERK'S JUDGMENT: It is ORDERED AND ADJUDGED that the action be DISMISSED WITHOUT PREJUDICE. (bnw)—Please refer to <a href="http://www.ca11.uscourts.gov">http://www.ca11.uscourts.gov</a> to obtain an appeals jurisdiction checklist— (Entered: 12/20/2018)
12/20/2018		Clerk's Certificate of Mailing as to Earl Hughes Burgest re <u>6</u> Order on Final Report and Recommendation, <u>7</u> Clerk's Judgment. (bnw) (Entered: 12/20/2018)
12/20/2018		Civil Case Terminated. (bnw) (Entered: 12/20/2018)